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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 CHARLES V REED,

11 Plaintiff,

12 v.

13 DEPARTMENT OF CORRECTIONS,  
14 et al.,

15 Defendants.

CASE NO. 3:16-CV-05993-BHS-DWC

ORDER GRANTING MOTION TO  
SUBSTITUTE

16 The District Court referred this 42 U.S.C. § 1983 action to United States Magistrate  
17 Judge David W. Christel. Plaintiff Charles V. Reed filed a Motion to Substitute Parties Pursuant  
18 to Rule 25(d). Dkt. 47.<sup>1</sup> Plaintiff requests several individuals be substituted in their official  
19 capacity for originally named Defendants. *Id.* Defendants filed a Response stating they do not  
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22 <sup>1</sup> Under Federal Rule of Civil Procedure 25(d), “An action does not abate when a public officer who is a  
23 party in an official capacity dies, resigns, or otherwise ceases to hold office while the action is pending. The  
24 officer’s successor is automatically substituted as a party. Later proceedings should be in the substituted party’s  
name, but any misnomer not affecting the parties’ substantial rights must be disregarded. The court may order  
substitution at any time, but the absence of such an order does not affect the substitution.”

1 oppose the Motion. Dkt. 48. After reviewing the Motion and Response, Plaintiff's Motion (Dkt.  
2 47) is granted.

3 The Clerk is directed to substitute:

- 4 • Secretary of the Department of Corrections Steve Sinclair, in his official capacity,  
5 for Richard Morgan, in his official capacity;
- 6 • Chief Medical Officer for Washington State Department of Corrections Gabrielle  
7 F. Gasper, in her official capacity, for Steven Hammond, in his official capacity;
- 8 • Kevin Bovenkamp, in his official capacity, for Rob Weber, in his official  
9 capacity; and,
- 10 • Superintendent of Stafford Creek Corrections Center Ron Hayes, in his official  
11 capacity, for Margaret Gilbert, in her official capacity.

12 The claims alleged against Defendants Morgan, Hammond, Weber, and Gilbert in their  
13 individual capacities and the claims alleged against Lara Srick in her official and individual  
14 capacities remain pending in this case.

15 Dated this 28th day of November, 2017.

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17 David W. Christel  
18 United States Magistrate Judge  
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